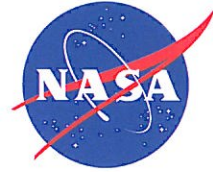


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001

October 9, 2012



Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA employees at the Space Exploration Technologies Corporation (SpaceX) Launch Celebration Reception on October 9, 2012

On October 9, 2012, Space Exploration Technologies Corporation (SpaceX) will host a reception to celebrate the launch of the Falcon 9 rocket and Dragon spacecraft for the first operational cargo mission to the International Space Station. The event will be held at the Pour House in Washington, D.C. from 5:30 - 7:30 pm.

Approximately 500 people were invited to attend the event, including representatives from various industrial sectors, academia, non-profit organizations, diplomatic missions, other Federal agencies, and the legislative branch. The sponsors estimate the value of refreshments provided at the reception, including all food and beverages, to be on average \$10.00 per person.

I find that the event meets the requirements of a "widely-attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2). I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will allow NASA attendees to exchange information with other attendees regarding various NASA programs and policies, including initiatives to advance commercial space transportation.

Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. However, NASA employees whose duties substantially affect the sponsor, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor. Moreover, NASA employees who are in non-career positions who are required to sign the ethics pledge under Executive Order 13490 may attend only if they reimburse the sponsor the cost of the event for themselves and any accompanying guest.

Sometimes sponsors may distribute small gift items at events. Attendees are reminded of the \$20 gift exception at 5 C.F.R. §2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion and no more than \$50 from one source in a calendar

year. Other than for presentation items with little intrinsic value and no additional function, such as pins or patches with mission emblems, NASA invitees must reimburse the sponsor the full value of any gift items exceeding these caps they accept from the sponsors. Moreover, non-career NASA employees subject to the ethics pledge should reimburse the sponsor, which is a lobbying organization for purposes of the ethics pledge, the full value of any such gift items accepted even if these monetary caps are not exceeded.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', with a stylized, flowing script.

Adam F. Greenstone